

### **REMARKS**

The examiner issues a restriction requirement that separates the pending claims into two groups. Group 1 includes claims 1 – 27, 39 – 80, and 88 – 125 and Group II includes claims 28 – 38 and 81 – 87. The applicants elect the claims in Group I with traverse.

The examiner asserts that the Group I claims are directed to a search machine or method for identifying candidate path delays, and that the Group II claims are directed to a selection method or apparatus for providing delays using a state machine. The examiner further asserts that the Group I claims should be classified in class 375, subclass 148, and that the Group II claims should be classified in class 714, subclass 21. Because of the difference in the classification, the examiner states that examining both groups of claims places a serious burden on the examiner.

The applicants disagree. Classes 375 and 714 cross-reference each other. Thus, when searching class 375, the examiner is required to also search class 714 (and vice versa). In other words, no serious burden exists because the examiner must search both class 375 and class 714 to properly examine the Group I claims.

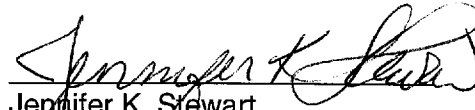
Further, by the examiner's own admission both groups of claims are directed a method and apparatus for determining delays for a receiver. Thus, the applicants fail to understand why the examiner classified the Group I claims differently than the Group II claims. Because both groups of claims require determining path delays for a receiver, examining both groups of claims should require a search through prior art material related to determining path delays for a receiver, e.g., class 375, subclass 148.

In light of the above remarks, the applicants note that searching both groups of claims does not place an undue burden on the examiner. Thus, the applicants request that the examiner reconsider the restriction requirement and examine all pending claims. Should any

issues remain, the applicants ask the examiner to call the undersigned so that any such issues may be expeditiously resolved.

Respectfully submitted,

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